

LCB File No. R096-06

**PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

**(Note that this regulation was formerly Section 16 of R052-06;
it has been removed from that regulation)**

**Notice of Workshop and Hearings
OF INTENT TO ADOPT REGULATIONS**

Details of the workshops and hearings appear below:

WORKSHOPS AND HEARINGS

Times: Workshops 10:30 a.m. Hearings 1:30 p.m.

Date: Thursday, April 20, 2006.

**Location: Nevada Department of Agriculture Office, Reno
350 Capitol Hill Avenue
Reno NV 89502**

Times: Workshops 10:00 a.m. Hearings 2:00 p.m.

Date: Tuesday, April 25, 2006

**Location: Nevada Department of Agriculture Office, Las Vegas
2300 McLeod
Las Vegas NV 89104**

Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All oral and written testimony will be in the record of the hearing.

Economic effect of these proposed amendments on the businesses which it is to regulate:

1. Adverse effect: None

2. Beneficial effects: Increased opportunities for licensing; ensure consumer and environmental protection; standardize continuing education requirements; improve record keeping requirements for wood-destroying pest inspection reports; adjust penalty standards to reflect changes.
3. Immediate and long term effect: Same.

Economic effects of the proposed amendments on the public:

1. Adverse effects: None
2. Beneficial effects: Beneficial effects: Increased opportunities for licensing; ensure consumer and environmental protection; standardize continuing education requirements; improve record keeping requirements for wood-destroying pest inspection reports; adjust penalty standards to reflect changes.
3. Immediate and long-term effects: Same

There will be no additional costs to the Department for enforcement of the amendments.

This regulation does not overlap or duplicate any other state, local or federal regulation.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV 89502

Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431

Nevada Department of Agriculture
1550 S. Wells Avenue
Reno, NV 89502

Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445

Nevada Department of Agriculture
1351 Elm Street
Elko, NV 89801

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104

<p>Churchill County Library 553 South Maine Street Fallon, NV 89406</p>	<p>Las Vegas – Clark County Library 833 Las Vegas Blvd North Las Vegas, NV 89101</p>	<p>Elko County Library 720 Court Street Elko, NV 89801</p>
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Esmeralda County Library P.O. Box 430 Goldfield, NV 89013-0430	Eureka Branch Library 10190 Monroe Street Eureka, NV 89316-0293	Humboldt County Library 85 East 5 th Street Winnemucca, NV 89445
Lincoln County Library 93 Main Street Pioche, NV 89043-0330	Lyon County Library 20 Nevin Way Yerington, NV 89447	Mineral County Library First & A Street Hawthorne, NV 89415-1390
Goldfield Public Library Forth & Crook Street Goldfield, NV 89013-0430	Tonopah Public Library 171 Central Street Tonopah, NV 89049-0449	Pershing County Library 1125 Central Avenue Lovelock, NV 89419-0781
Storey County Library 95 South R Street Virginia City, NV 89440-0014	Washoe County Library 301 South Center Reno, NV 89505-2151	White Pine County Library 950 Campton Street Ely, NV 89301
Battle Mountain Branch Library Battle Mountain, NV 89820-0141	Carson City Library 900 N. Roop Street Carson City, NV 89701	Douglas County Library 1625 Library Lane Minden, NV 89423-0337
State Library 100 North Stewart Street Carson City, NV 89701-4285	Smith Valley Library 22 Day Lane Smith, NV 89430	

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, call Ed Foster at the Nevada Department of Agriculture, (775) 688-1182 Ext. 272 as soon as possible.

NRS 233B.064 Permanent regulations not to be adopted or revised by the Legislative Counsel; agency's reasons for adoption.

Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

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**PROPOSED REGULATION OF THE
STATE BOARD OF AGRICULTURE**

NAC 555.397 Fees. (NRS 555.310, 555.400)

1. Except as otherwise provided in subsection 3, an applicant for a license must pay to the Director, as applicable:

(a) For examination or reexamination, a testing fee of \$25 for each category of pest control in which the applicant wishes to be examined;

(b) For licensure of a pest control business, a licensing fee of \$250; and

(c) For licensure of an operator *or principal*, a licensing fee of \$50~~0~~;

(d) For licensure of an agent, a license fee of \$350.

2. The Director will charge a fee of \$25 to issue a duplicate license to replace a license that has been lost, mutilated or destroyed.

3. An applicant for licensure may request a hardship fee reduction in licensing fees by submitting a written request for such a reduction to the Director. The request must include the amount of income the applicant has received from the application of pest control for at least the immediately preceding 12 months or for the duration of the business of the applicant, whichever is shorter. The Director may grant a hardship fee reduction if he determines that paying the fee described in subsection 1 would require the business of the applicant to cease operations or would prevent the business from beginning operations because of lack of money. If the Director grants a hardship fee reduction, the fee for licensure of a pest control business is \$50 and the fee for licensure of an operator is \$15. The Director may not grant a hardship fee reduction for a testing fee.